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SERIES III No. 3

OFFICIAL GAZETTE

GOVERNMENT OF GOA



PUBLISHED BY AUTHORITY

EXTRAORDINARY

No. 2

GOVERNMENT OF GOA

Department of Home

Home—General Division

Office of the District Magistrate, North Goa,
Magisterial Branch

Order

U/S 144 of the Code of Criminal Procedure of 1973

No. 8/8/2023-MAG/L&O/Karnataka Elect./Dry Day/1075

Whereas, the District Election Officer and Deputy Commissioner, Belagavi District vide letter No. DC:POL:CR:17/2022-23 dated 17-04-2023 has informed that the Election Commissioner of India has announced the General Election to the Karnataka Legislative Assembly-2023 which is scheduled to be held on 10-05-2023 and Counting of polled votes fixed on 13-05-2023. The Model Code of Conduct has already come into force. The Election Commissioner of India has issued directions to ensure free, fair, and peaceful Election;

And whereas, the District Election Officer and Deputy Commissioner, Belagavi District has further requested this office to close the liquor shops from 5 k.m. surrounding to Karnataka State border and to declare "DRY-DAY'S" from 08-05-2023 6.00 p.m. to 10-05-2023 midnight within these limits.

And whereas Section 29(A) of Goa Excise Duty Act, 1964 empowers the District Magistrate to order the closure of the licensed premises "for the sale of liquor" within his/her jurisdiction for such period as may be necessary and appropriate for maintenance of law and order.

And whereas in my considered opinion, there is sufficient grounds for proceeding under sub section (1) of section 144 of Code of Criminal Procedure, 1973 for closure of all the licensed premises existing from 5 k.m. surrounding to Karnataka State border in North Goa District "for the sale of liquor" from 06:00 p.m. of 08-05-2023 till 00.00 hrs. of 10-05-2023, in view of polling of votes for General Election to the Karnataka Legislative Assembly-2023.

And whereas, I am satisfied that the circumstances do not permit the serving, in due time, of the notices individually upon the persons against whom this order is directed and therefore, under the powers vested in me under sub section (2) of Section 144 of the Code of Criminal Procedure, 1973 I hereby pass the order ex-parte.

Now therefore, I, Mamu Hage, IAS, District Magistrate, North Goa District, in exercise of the power vested in me under sub section (1) of section 144 of Code of Criminal Procedure, 1973 read with section 29A of the Goa Excise Duty Act, 1964 do hereby order that all the licensed premises existing from 5 k.m. surrounding to Karnataka State border in North Goa District shall remain closed "for the sale of liquor" from 06:00 p.m. of 08-05-2023 till 00.00 hrs. of 10-05-2023, in view of polling of votes for General Election to the Karnataka Legislative Assembly-2023.

Further, the licensed premises having license for Bar and Restaurant are allowed to keep the Restaurant open for serving food only and the Bar

counter shall be closed and no liquor shall be allowed to be served on the above mentioned days and time. The owners of the licensed premises having Bar and Restaurant shall display a board in the premises stating that No Liquor will be served on the said days and time and that only the Restaurant is open for serving food.

Failure to comply with this order shall result in the cancellation of licences and the owner or

offender shall be liable for penal action under section 188 of Indian Penal Code, section 30 of the Excise Duty Act, 1964 and other relevant provisions of laws in force.

Given under my hand and seal of this office on this 25th day of April, 2023.

Panaji.— The District Magistrate (North), *Mamu Hage*, IAS.

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